

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	MJ 123-063
)	
APRIL EVALYN SHORT)	

ORDER

At the initial appearance on November 16, 2023, (see doc. no. 5), the parties jointly moved, pursuant to 18 U.S.C. §§ 4241, 4242, and 4247, for a psychiatric evaluation of Defendant. Based on the evidence presented at the initial appearance, and for the reasons stated on the record, there is reasonable cause to believe Defendant may suffer from a mental disease or defect rendering her mentally incompetent to the extent she is unable to understand the nature and consequences of the proceedings against her or to assist properly in her defense, the Court **ORDERS** a mental examination pursuant to 18 U.S.C. § 4247, as authorized by 18 U.S.C. § 4241. Defendant shall also be evaluated pursuant to 18 U.S.C. § 4242 to determine the existence/non-existence of insanity at the time of the charged offense. Therefore, the Court **GRANTS** the request for a psychiatric examination, (doc. no. 7), and **ORDERS** a mental examination pursuant to 18 U.S.C. § 4247, as authorized by 18 U.S.C. §§ 4241 and 4242. The examination shall be conducted as set forth below.

IT IS HEREBY ORDERED that Defendant April Evalyn Short be placed in a facility to be designated by the United States Bureau of Prisons to be examined as to her mental condition and to determine her sanity at the time of the alleged offenses pursuant to 18 U.S.C. §§ 4241 and 4242. Defendant is also directed to cooperate and comply with all

scheduled appointments as deemed necessary by the psychiatrist and/or psychologist in order to complete the mental evaluation.

IT IS FURTHER ORDERED that the designated facility's examiners shall make a written report of their findings, pursuant to 18 U.S.C. § 4247, as soon as practicable to United States Magistrate Judge Brian K. Epps, Southern District of Georgia, Post Office Box 1504, Augusta, Georgia 30903 (706-849-4420); with a copy to Assistant United States Attorney, Patricia Green Rhodes, Post Office Box 2017, Augusta, Georgia, 30903 (706-826-4536); and to defense counsel James Pete Theodocion, 507 Walker Street, Augusta, Georgia, 30901 (706-722-3000). The examiners shall prepare a report which shall include:

1. Defendant's history and present symptoms;
2. a description of the psychiatric, psychological, and medical tests that were employed and their results;
3. the examiners' findings; and
4. the examiners' opinions as to diagnosis, prognosis and

(a) whether Defendant is suffering from a mental disease or defect rendering her mentally incompetent to the extent that she is unable to understand the nature and consequences of the proceedings against her and to assist properly in her defense;

(b) whether Defendant was insane at the time of the offenses charged; that is, as a result of a severe mental disease or defect, whether Defendant was unable to appreciate the nature and quality or wrongfulness of her acts; and

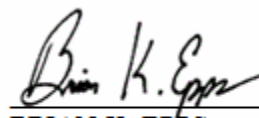
(c) whether Defendant is suffering from a mental disease or defect as a result of which she is in need of custody for care or treatment in a suitable facility.

IT IS FURTHER ORDERED that Defendant be transported by the United States Marshal to a suitable facility for the examination referred to above; and the Marshal is **ORDERED** to return Defendant following the examination. The Court **DIRECTS** the

CLERK to serve a copy of this Order on the United States Marshal to ensure compliance therewith.

IT IS FURTHER ORDERED that the period of time required for transportation of Defendant to and from the designated facility, testing and evaluation of Defendant, preparation of the written report, and any resulting proceedings to determine the mental competency of Defendant, is excludable from calculation under the Speedy Trial Act and in computing the time within which an indictment must be filed and trial must occur. 18 U.S.C. §§ 3161(h)(1)(A), (F).

SO ORDERED this 17th day of November, 2023, at Augusta, Georgia.

A handwritten signature in black ink, appearing to read "Brian K. Epps", is written over a horizontal line.

BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA